

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :

Plaintiff, :

Case No. 3:04-cr-189

-VS- :

District Judge Walter H. Rice
Chief Magistrate Judge Michael R. Merz

DERIC EDMOND MARSHALL,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #84), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on April 9, 2008, hereby ADOPTS said Report and Recommendations.

This case is hereby DISMISSED WITH PREJUDICE as barred by the statute of limitations. The Clerk shall enter judgment accordingly.

April 11, 2008.

Wm. L. L. L.

Walter H. Rice
United States District Judge